

27953. Frozen fish fillets. (F.D.C. No. 47174. S. No. 156 T.)

QUANTITY: 401 cases, 10 ctns. each, at Tarpon Springs, Fla.

SHIPPED: Between 10-24-61 and 1-2-62, from Progreso Yuc. Mexico, by Pescados Del Sureste, S.A.

LABEL IN PART: (Case) "Ancote Seafood Co. Brand Fresh Frozen Fillets Tarpon Springs Florida * * * Packed By: Pescados Del Sureste, S.A. Progreso Yuc. Mexico 10/G-60 Lbs. * * * Product of Mexico" ["Snapper Fillets" rubber stamped on case label]; (ctn.) "Fresh Frozen ["Mexican Snapper Fillets 34" rubber stamped] Packed for Ancote Seafood Co. Tarpon Springs Fla. * * * By Pescados Del Sureste, S.A. Progreso Yuc. Mexico Net Weight 6 Lbs. * * * Product of Mexico."

RESULTS OF INVESTIGATION: Examination showed that the article contained grouper fish fillets.

LIBELED: 2-26-62, S. Dist. Fla.

CHARGE: 403(a)—when shipped, the label statement "Snapper" is false and misleading as applied to a product consisting of grouper fish fillets; and 403(b)—the article was offered for sale under the name of another food, namely, snapper fillets.

DISPOSITION: 5-18-62. Consent—claimed by Ancote Seafood Co., and relabeled.

27954. Frozen whitefish fillets. (F.D.C. No. 45392. S. No. 22-120 R.)

QUANTITY: 40 cases, 4 boxes each, at Detroit, Mich.

SHIPPED: 10-1-60, from Detroit, Mich., by J. Kozloff Fish Distributors, Inc., to Chicago, Ill., and returned to Detroit, Mich., on 1-6-61.

LABEL IN PART: (Box) "Sportsman Brand Quick Frozen Fillets Net Wt. 13½ lbs. Fish 15 lbs. Glazed Wt. Packed for J. Kozloff Fish Dist., Inc. * * * Detroit, Mich. Product of Canada."

LIBELED: 1-18-61, E. Dist. Mich.

CHARGE: 402(a) (3)—contained decomposed fish fillets when shipped.

DISPOSITION: 12-4-61. Default—destruction.

27955. Frozen whiting. (F.D.C. No. 46113. S. No. 70-705 R.)

QUANTITY: 155 cases, 5 10-lb. ctns. each, at Gloucester, Mass.

SHIPPED: The fish were caught in the Atlantic Ocean outside the territorial limits of Massachusetts and delivered on 6-28-61, to Gloucester, Mass.

LABEL IN PART: (Case) "Imperial Brand H & G Whiting 5/10's Net 50 Lot 378 6/14/61" (insert label in 10-lb. ctn.) "Imperial Brand Headless Whiting Fresh Frozen To Be Weighed at Time of Sale Imperial Seafoods Co., Inc., Gloucester, Mass."

RESULTS OF INVESTIGATION: The fish were prepared and packed by Imperial Sea Foods, Inc., Gloucester, Mass.

LIBELED: 7-26-61, Dist. Mass.

CHARGE: 402(a) (3)—contained partially eviscerated fish and decomposed fish while held for sale.

DISPOSITION: 10-16-61. Default—delivered to a public institution for use as animal feed.

27956. Canned tunafish. (F.D.C. No. 45491. S. No. 27-082 R.)

QUANTITY: 74 cases, 24 cans each, at Boston, Mass.

SHIPPED: 11-29-60, from Terminal Island, Calif., by Franco-Italian Packing Co.

LABEL IN PART: (Can) "Sea Boy Solid White Tuna * * * Contents 13 oz. Avoir. Distributed by Franco-Italian Packing Co. Terminal Island, Calif."

LIBELED: 2-23-61, Dist. Mass.

CHARGE: 403(h)(2)—when shipped, the article fell below the standard of fill of container for canned tuna since the regulations provide that the standard for canned tuna in which the tuna is in solid form is a fill such that the average weight of pressed cake from 24 cans in a container designated as 401 x 206 is not less than 8.76 ounces, whereas the article was in containers of the above-mentioned size in which the tuna was in solid form and the average weight of pressed cake from 24 cans was less than 8.76 ounces, and the label of the article failed to bear a statement that it fell below such standard.

DISPOSITION: 4-21-61. Consent—claimed by Franco-Italian Packing Co. and relabeled.

27957. Canned oyster stew. (F.D.C. No. 46059. S. No. 27-046 R.)

QUANTITY: 238 cases, 24 8-oz. cans each, at Los Angeles, Calif.

SHIPPED: 4-7-61, from Seattle, Wash., by Can Go Shippers Association.

LABEL IN PART: (Can) "Carnation Oyster Stew Helps to maintain mental and physical vigor, for it is rich in iron, iodine, phosphorous, copper and magnesium. High in Protein—Low in Calories * * * Distributed by Seafare Corporation Los Angeles, Calif."

LIBELED: 7-6-61, S. Dist. Calif.

CHARGE: 403(a)—when shipped, the label statement "High in Protein—Low in Calories," was false and misleading since it was contrary to fact; and 403(a)—the label bore false and misleading representations that the article was adequate and effective to promote mental and physical vigor.

DISPOSITION: 9-6-61. Consent—claimed by Seafare Corp., Los Angeles, Calif., and relabeled.

27958. Frozen breaded shrimp. (F.D.C. No. 46995. S. Nos. 25-517 T, 26-231 T, 26-443 T, 26-445 T.)

QUANTITY: 611 cases, 24 10-oz. boxes each, at Detroit, Mich.

SHIPPED: 10-14-61 and 10-25-61, from Harlingen, Tex., by Western Shell Fish Co., Inc.

LABEL IN PART: (Box) "Fisherman's Choice Breaded Fantail Shrimp * * * Distributed by Western Shell Fish Co., Inc. Harlingen, Texas."

LIBELED: 1-29-62, E. Dist. Mich.

CHARGE: 402(a)(3)—contained *E. coli*, coagulase positive staphylococci, and high total bacterial counts; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 5-11-62. Default—destruction.

27959. Frozen shrimp. (F.D.C. No. 45385. S. No. 43-187 R.)

QUANTITY: 1,150 cases, 10 5-lb. pkgs. each, at Watsonville, Calif.

SHIPPED: 11-14-60, from Nogales, Ariz., by Wilbur-Ellis Co.

LABEL IN PART: (Ctn.) "5 Lbs. Net. Weight Gulf of California Frozen Fresh Shrimp Product of Mexico Packed For Ocean Garden Products Inc. San